

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HECTOR FERNANDO CANALES-
ROBLES,

No. 6:16-cv-01395-AC

Plaintiff,

ORDER

v.

COLETTE S. PETERS, former Director,
Oregon Youth Authority and current
Director, Oregon Department of
Corrections, et. al.,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation [54] on July 2, 2018, in which he recommends that the Court grant in part and deny in part Plaintiff's Motion to Amend [36]. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).


Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Acosta's Findings and Recommendation [54]. Accordingly, Plaintiff's Motion to Amend [36] is GRANTED in part and DENIED in part. The motion is denied as to all claims against Defendant Humphreys and the first, second, third and fifth causes of action. The fourth cause of action as brought by the OYA class should also be amended to proceed only against Defendants O'Leary and Berger. Plaintiff shall file his amended complaint within 30 days of this Order.

IT IS SO ORDERED.

DATED this 1 day of Dec, 2018


MARCO A. HERNÁNDEZ
United States District Judge